

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

U.S.A. vs. Jaquincy Audra Harris

Docket No. 4:08-CR-55-3F

Petition for Action on Supervised Release

COMES NOW Scott Plaster, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Jaquincy Audra Harris, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possess With Intent to Distribute More Than 50 Grams of Cocaine Base, was sentenced by the Honorable James C. Fox, Senior U.S. District Judge, on April 28, 2009, to the custody of the Bureau of Prisons for a term of 72 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 60 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.

On November 14, 2012, the defendant's period of imprisonment was reduced from 72 months to 50 months, pursuant to a motion by the defendant for a sentence reduction under 18 U.S.C. § 3582(c)(2). All other conditions of the original judgment remained in effect.

Jaquincy Audra Harris was released from custody on November 16, 2012, at which time the term of supervised release commenced in the District of South Carolina.

On May 16, 2013, the court was notified via a Violation Report that the defendant had tested positive for marijuana on April 26, 2013. The defendant was placed in a color code drug testing program and referred to AA/NA meetings. Supervision was continued with no further action.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On January 15, 2014, the defendant submitted a urine sample that tested positive for the presence of marijuana. When confronted with the result, the defendant admitted using marijuana on January 1 and 11, 2014. Mr. Harris has been returned to the Surprise

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Urinalysis Program and referred back to AA/NA meetings since he continues to deny the need for treatment. As a punitive sanction, it is recommended that the defendant also perform 30 hours of community service work as directed by the U.S. Probation Officer. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall complete 30 hours of community service under the direction of the U.S. Probation Officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/Jeffrey L. Keller
Jeffrey L. Keller
Supervising U.S. Probation Officer

/s/Scott Plaster
Scott Plaster
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: (919) 861-8660
Executed On: March 5, 2014

ORDER OF COURT

Considered and ordered this 5th day of March, 2014, and ordered filed and made a part of the records in the above case.

James C. Fox
James C. Fox
Senior U.S. District Judge